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May 3, 2002

Federal Communications Commission
1919 Main St, NW
Washington, D.C. 20554

In the Matter of: RM-10413

Petition for Rule Making filed by the
ARRL, the National Association for Amateur Radio
To Amend Part 97 of the Commission's Amateur Service
Rules Governing Operating Privileges

INTRODUCTION:

The comments set forth here are concerning the ARRL's "Refarming" proposal of the Novice/Technician HF Sub-bands.

Like the 1998 Biennial Review Preceding in which major rule licensing changes were made to the Amateur Radio Service, the American Radio Relay League's (ARRL) "Refarming" proposal, RM-10413, is a proposal that must be addressed with thoughtful consideration. At that time of the Report and Order (FCC 99-412, FCC Rcd. 315) the FCC saw no consensus from the Amateur community on the disposition of the Novice CW frequencies. My comments deal with the validity of the petitioners (ARRL) survey (A) as well as discussion on refarming (B) and my proposal (C)

COMMENTS:

(A) ARRL Survey

The basis of the ARRL's proposal is formulated by a survey taken by the ARRL. As stated in their proposal, they developed a survey that was circulated on their members only web site, (www.arrl.org) as well as a printed mail in tear-out in their official journal QST. In addition, members and non-members were given an email address where they could give their opinions. I feel that the ARRL's survey was flawed in the following ways.

- 1) Because the ARRL chose to allow members only to access the survey on their web site, they severely limited input from non-members. . Additionally, QST is the journal for members. Although a copy can be obtained through a limited number of newsstands, a non-member would have to first be aware that the survey even existed in QST and then have access to a news or bookstore that carried QST.
- 2) As shown in exhibit A of the ARRL proposal, the Amateurs name and call sign were optional, but the ARRL requested that only one survey be submitted from each individual. This honor system would still allow multiple submissions by one individual and could skew the results.

- 3) By not choosing a random sample from the entire Amateur community, the survey does not seem to be very scientific, and therefore, is questionable. The overwhelming number of Amateur Extra operators (60.9%) who responded illustrates how skewed the survey was towards one class of license vs the remaining license classes. This does not seem to be a very balanced survey and, therefore, does not meet the FCC's objective in their Report and Order (FCC 99-412, FCC Rcd 315) to have input from all segments of the Amateur community.
- 4) The total number of respondents (4744) represented only ~ 0.73 percent of the Amateur Community.
- 5) The survey was limited in its ability to evaluate all options available.

My comments on the ARRL survey are not intended to put down the American Radio Relay League, but only to stress to the Commission that the ARRL's survey does not represent a consensus of the Amateur Community. It instead represents an unscientific polling of the ARRL membership. I would hope that the FCC would not view this survey as input from all segments of the Amateur Community.

(B) Refarming Discussion

With the Novice license now an entry class of the past, there is approximately 300 kHz of telegraphy spectrum being underutilized. The HF voice modes are an inefficient mode of communication in terms of bandwidth. On some bands such as 40 meters there seems to be overcrowding especially with the shared allocations with the international broadcast community. The initial reaction would be to reallocate spectrum to the voice modes. However, the Commission should consider where Amateur radio was in the past and how it arrived at where it is today.

Amateur Radio operators, over the years, have helped developed RF technology that we enjoy today. The Amateur spectrum has either provided a training ground for future Electronic and RF engineers or served a medium where experimenting and the development of new technology could take place. Today hams are enjoying the fruits of their labors through new technology such as digital communication systems, satellites, Amateur Television and other modes.

These technological advancements through out the history of Amateur Radios have helped fulfill some components in Part 97.1, the basis and purpose of the amateur service. Specifically...

Part 97.1(b) Continuation and extension of the amateurs proven ability to contribute to the advancement of the radio art

Part 97.1(c) Encouragement and improvement of the Amateur Radio Service through rules which provide for advancing skills in both the communication and technical phases of the art.

The basis and purpose tells us why Amateur Radio is in existence and why we have been afforded RF spectrum. I feel that the Commission needs to encourage the continued technological development and that allocating additional wider band phone spectrum would not encourage this.

(C) Proposal

- 1) I feel that a large segment of at least 25-50 kHz should be set aside on an exclusive basis for experimenting .
- 2) In order to limit interference a power limit of (250 watts or <) should be established in this experimental band.
- 3) The remaining Novice segments should be granted to existing digital operations on an exclusive basis.
- 4) Novice operators would be displaced and there would no longer exist a slow speed training ground for CW operators. I feel the Commission needs to establish an exclusive sub-band of 75 kHz in the current Digital/CW sub-band, exclusively for CW. In order to continue with the current incentive license upgrading system, the lower 25 kHz would continue to be allocated to Amateur Extra class exclusively. The upper 25Khz would be the training ground for the current Novice operators with their current transmitter power limitations. Slower speed CW operators to gain practice and skill could also use this area, on a voluntary basis.

The purpose for an exclusive CW allocation would be two fold. First it would prevent digital operations from causing interference to unseasoned CW operators and second the Novice/slow speed allocation would be clearly defined. I also feel that this would encourage the more seasoned operators to move up the band to aid more the less proficient operators with their code skills.

For clarity, I have provided the following example:

7.00-7.075	Extra CW
7.025 - 7.775	General/Advanced CW
7050 - 7.075	Novice CW
7.075 -7.100	Extra/General/Advanced RTTY/Digital/CW
7.100-7.125	Extra/General/Advanced Digital
7.125-7.150	Extra/General/Advanced Experimental (250Watts or <)

SUMMARY:

In the December 20th, 1999, Report and Order the Commission stressed the importance of input from all segments of the Amateur Community. With only ~.73 percent of the Amateur community participating in the survey and the majority of the respondents from Amateur Extras license class this is not a very representative or very balanced survey. If the Commission feels that it must act at this time on RM-10413 then I feel that they should do so with the future of Amateur Radio in mind, through the creation of exclusive digital and experimental allocations. We need to keep Amateur Radio going in a positive direction, and I feel this reallocation would encourage the development of new technologies.

Respectfully,

Timothy J. Fiebig, K2TF

